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November 22, 1996

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**VIA HAND DELIVERY**

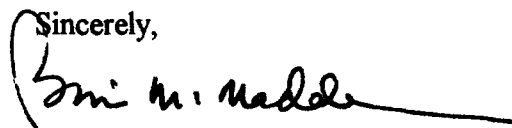
Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Room 222  
Washington, DC 20554

Dear Mr. Caton:

On behalf of the University of Pennsylvania, there are transmitted herewith an original and five copies of its comments in response to the Commission's Sixth Further Notice of Proposed Rule Making in MM Docket No. 87-268.

If any additional information is desired in connection with this matter, please contact the undersigned counsel.

Sincerely,



Brian M. Madden

BMM/tlm  
Enclosure

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# UNIVERSITY of PENNSYLVANIA

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## Office of the Executive Vice President

721 Franklin Building  
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215-898-6693

November 21, 1996

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Room 222  
Washington, DC 20554

Re: Advanced Television Systems and Their Impact  
Upon the Existing Television Broadcast Service  
(MM Docket No. 87-268)

Dear Mr. Caton:

I am writing on behalf of the University of Pennsylvania (the "University"), in response to the Sixth Further Notice of Proposed Rule Making in the above-referenced proceeding ("Notice").

The University of Pennsylvania offers both undergraduate and graduate courses to a total enrollment of approximately 21,000 students; including faculty and staff, the total size of the University community is in excess of 35,000. In addition to licenses for non-commercial broadcasting services, the University holds a number of Commission authorizations for facilities that are used on a daily basis in connection with the operation of the University, including the licenses set forth on Exhibit A attached hereto, each of which specifies operation on frequencies between 500 and 512 MHz, corresponding to Channels 19 and 20 in the UHF television band. These channels have been set aside for land mobile operations in the greater Philadelphia-southern New Jersey area. *See Notice at 32-33, n. 77.* In the Notice, the Commission recognized that the television broadcasting industry has in the past contemplated the recovery of Channel 20 in Philadelphia for broadcast use and has sought comment on alternatives for accommodating the existing land mobile licensees operating on Channel 20 were that proposal to be implemented.

The licenses held by University authorize the use of several hundred individual mobile units on frequencies located within the Channel 20 spectrum

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(506-512 MHz). The largest number of these mobile operations are used in conjunction with operations in the Public Safety Radio Service and are employed by the University's Police Force; other authorizations are used by the Division of Public Safety for building security. The University's Police Force is the largest private police department in the State of Pennsylvania, and is responsible, in conjunction with the Police Department of the City of Philadelphia, for security within a substantial portion of West Philadelphia, encompassing both the University's campus and adjacent areas. Dependable communications capability is critical for the University to maintain security services within this area. Relocation of these facilities to other spectrum, including possibly frequencies now occupied by Channels 60-69 in the UHF television band, would not afford the same degree of signal intensity and reliability in the highly congested West Philadelphia area, and would likely result in substantially inferior operation of these public safety services. The University respectfully urges that the Commission not permit the recovery of Channel 20 for broadcast use in the Philadelphia market, and further, that the Commission preserve and protect the integrity of the operations currently authorized for land mobile facilities, including in particular those authorized under the Public Safety Radio Service within the 506-512 MHz band.

The University also urges that the Commission not proceed with its proposed allotment of Channel 21 as the DTV facility for Station WHSP(TV), Channel 65, Vineland, New Jersey, as proposed in the Notice. The proposed allotment of this channel is inconsistent with the minimum co-channel and adjacent channel spacing requirements set forth in the Notice and in previous Commission decisions in this proceeding. At page 33 of the Notice, the Commission states that it proposes "to permit DTV stations to operate at co-channel and adjacent channel spacings to the city-center of land mobile operations as close as 250 kilometers (155 miles) and 176 kilometers (110 miles) respectively." However, the distance between the transmitter site of Station WHSP and the reference point for Philadelphia is only 35.9 kilometers (22.3 miles). If the Commission proceeds with the proposed allotment of Channel 21 for DTV purposes at Vineland, New Jersey, the University's land mobile facilities, especially the numerous public safety stations, would be subject to substantial destructive interference, curtailing the area of operation of these stations and potentially jeopardizing the safety of the University community and the residents of the surrounding area.

For the foregoing reasons, the University of Pennsylvania respectfully requests that the Commission reconsider its proposed allotment of Channel 21 for DTV operation at Vineland, New Jersey, and that the Commission not make any DTV channel allotment that will create the potential for destructive interference to

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land mobile operations on Channel 20 within the greater Philadelphia area. Furthermore, the University respectfully urges that the Commission preserve the licensed land mobile operations on Channel 20 and not require that those licensees, including the University, be involuntarily relocated to other spectrum, regardless of the period of transition and the potential for financial support for such relocation.

Respectfully submitted,

THE UNIVERSITY OF PENNSYLVANIA

By

A handwritten signature in black ink, appearing to read "J.A. Fry". The signature is stylized with a large, looping initial "J" and "A".

John A. Fry  
Executive Vice President

**EXHIBIT A**

<b><u>Call Sign</u></b>	<b><u>Frequencies</u></b>	<b><u>Type of Service</u></b>
KNT249	508.26250 MHz 511.26250 MHz	IB Business
WII478	506.96250 MHz 509.96250 MHz	IB Business
WII480	506.98750 MHz 507.26250 MHz 508.91250 MHz 509.98750 MHz 510.26250 MHz 511.91250 MHz	PP Police
WII488	502.96250 MHz 505.96250 MHz	IB Business
WIL297	502.16250 MHz 505.16250 MHz	IB Business
WIL740	502.41250 MHz 505.41250 MHz 505.86250 MHz	IB Business